

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MARGARET NISIVOCIA

Plaintiff,

V.

NATIONAL RAILROAD PASSENGER:
CORPORATION d/b/a AMTRAK and JOHN:
DOES 1-10 :

Defendant.

$$\begin{array}{c} \mathbf{x} \\ : \\ : \\ : \\ : \\ : \\ \mathbf{R} : \\ \mathbf{N} : \\ : \\ \mathbf{x} \end{array}$$

Civil Action No.:

NOTICE FOR REMOVAL

Defendant National Railroad Passenger Corporation d/b/a Amtrak ("Amtrak"), through its attorneys, Landman Corsi Ballaine & Ford P.C., respectfully states upon information and belief:

1. On October 19, 2020, Amtrak was served with the Summons and Complaint in this action, which is currently pending in the Superior Court of New Jersey, Law Division: Essex County. Pursuant to 28 U.S.C. § 1446(a), a copy of the Complaint is annexed hereto as **Exhibit A**.

2. Exhibit A contains all of the prior pleadings and/or orders served upon Amtrak to date.

3. According to the Complaint, Plaintiff alleges that she was injured when luggage fell on her while she was aboard an Amtrak train on November 24, 2018.

4. Pursuant to 28 U.S.C. § 1441(a), this action can be removed to this Court because this Court has original jurisdiction.

5. This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1331 because Amtrak was created by an Act of Congress, 49 U.S.C. § 24101, et seq., and more than one-half of its capital stock is owned by the United States. See 28 U.S.C. § 1349.

WHEREFORE Amtrak prays that the action now pending against it in the Superior Court of New Jersey, Law Division: Essex County be removed therefrom to this Court.

Respectfully submitted,

By: Andrew B. Charkow /s/
Andrew B. Charkow, Esq.
Landman Corsi Ballaine & Ford P.C.
Attorneys for Defendant National Railroad
Passenger Corporation d/b/a Amtrak
One Gateway Center
Fourth Floor
Newark, NJ 07102
(973) 623-2700
acharkow@lcbf.com

To: Martin F. Kronberg, Esq.
Law Offices of Martin F. Kronberg
2414 Morris Avenue, Suite 215
Union, New Jersey 07083
Attorney for Plaintiff Margaret Nisivoccia

CERTIFICATION

I hereby certify that a copy of the foregoing was served by fax, email, and regular mail on November 5, 2020 to all counsel of record as follows:

Martin F. Kronberg, Esq.
Law Offices of Martin F. Kronberg
2414 Morris Avenue, Suite 215
Union, New Jersey 07083
Attorney for Plaintiff Margaret Nisivoccia

By: Andrew B. Charkow /s/
Andrew B. Charkow, Esq.
LANDMAN CORSI BALLAINE & FORD P.C.
Attorneys for Defendant National Railroad Passenger
Corporation d/b/a Amtrak
One Gateway Center 4th Floor
Newark, NJ 07102
(973) 623-2700